

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Leah N. Simpson,

Plaintiff,

v.

Commissioner of Social Security

Defendant.

Case No. 1:10-cv-610

Judge Michael R. Barrett

**ORDER**

This matter is before the Court on the Report and Recommendation ("Report") filed by Magistrate Judge Stephanie K. Bowman on July 18, 2011 (Doc. 16). The Report recommends that the Commissioner's decision to deny Plaintiff Leah N. Simpson Disability Insurance Benefits ("DIB") and Supplemental Security Income ("SSI") benefits be reversed and that this matter be remanded under sentence four of 42 U.S.C. § 405(g).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report in a timely manner. *See United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).<sup>1</sup> No objections have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, this Court finds the Report to be correct. Accordingly, it is **ORDERED** that the Report is hereby **ADOPTED** in full. As the Report recommends (Doc. 16, 13), the following actions are taken:

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<sup>1</sup> Notice was attached to the Report regarding objections. (Doc. 16, 14.)

1. The decision of the Commissioner to deny Plaintiff DIB and SSI benefits is **REVERSED** and this matter is **REMANDED** under sentence four of 42 U.S.C. §405(g);

2. On remand, the ALJ is instructed to carefully reconsider evidence of Plaintiff's back condition and mental impairments, including all relevant opinions from both acceptable treating sources and other medical sources; and

3. As no further matters remain pending for the Court's review, this case is **CLOSED**.

**IT IS SO ORDERED.**

*s/Michael R. Barrett*  
UNITED STATES DISTRICT JUDGE